

REMARKS

I. Formal Matters

Claims 1-9, 13, 25, 28-30, and 32-40 are currently pending. Claims 10-11, 14-24, 26-27, and 31 are cancelled. Claim 23 is cancelled via this Amendment without prejudice or disclaimer.

II. Claims

Claims 1, 2, 4, 6-9, 13, 23, 25, 28, 29, 30, and 32-34 are herein amended and withdrawal of the objections to the same is respectfully requested.

Claims 1-9, 12, 13, 23, 25, 28-30, and 32-40 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claim 1 is amended to more particularly point out and distinctly claim Applicants' invention, reciting, "pushing, at the interface, an internal routing label to the label stack of the packet to create a modified packet." The remaining claims are similarly amended and compliance with U.S.C. §112, second paragraph is asserted. In turn, withdrawal of the rejection of claims 1-9, 12, 13, 23, 25, 28-30, and 32-40 is respectfully requested.

Claims 1, 13, 23, 25, 28, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Shiota* (U.S. Patent No. 6,987,762) in view of *Landegem* (U.S. Patent No. 5,265,091).

Shiota teaches a method for receiving a plurality of packets to be subjected to two or more pop processings and reducing the potential for abandonment. *Shiota* teaches header processing, which is performed by pipeline processing. (*Shiota* col. 16, lines 14-18).

Independent claim 1 requires receiving a packet at a node interface, pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node. In contrast, *Shiota* teaches, "the header controller 7 rewrites the updated internal held header on the head portion of the corresponding packet within the header memory 6 (313)."

(*Shiota* col. 15, lines 26-29; Fig. 16; OA page 7, emphasis added). The internal held header is a header in buffer memory and is not an internal routing label, a label specific to intranodal routing. And rewriting a header in memory is not the same as pushing an internal (only) label onto the label stack. *Shiota* teaches pushing a shim header 312, or rewriting the top of the packet within the buffer memory 313 but fails to teach pushing an internal routing label onto a label stack (Figs. 16 and 3A-D).

More particularly *Shiota* teaches, “Next, the label processing unit 9 adds the shim headers for the number written in the shim header length information to the internal held header (indicating the shim header received from the NHLFE search unit 13) if a push bit flag of the label operation information stands (104, 105).” (*Shiota* col. 13, lines 36-41, emphasis added). NHLFE is Next Hop Label Forwarding Entry, such that the internal held header is an external (Hop) label. *Shiota* teaches an internal held header, which is part of an efficient header processing at a switch. *Shiota* teaches that the format of the data, to be sent to the label processing unit by the NHLFE search unit but fails to teach or suggest an internal routing label (*Shiota* Fig. 10; col. 8, lines 6-9).

Shiota also teaches sending an output channel information pointer to the label processing unit 9 via the NHLFE (col. 13, lines 16-19) and adding output channel information (*Shiota* Fig. 11, 106). However, an output channel pointer or output channel information (*Shiota* Figs. 8 and 10; Figs. 12 and 13) is not an internal routing label (*Application* Fig. 2, SIC), nor is it an MPLS label or a shim header containing an external label (*Shiota* Fig. 3).

Secondary reference *Landegem* fails to compensate for the deficiency in *Shiota*. Instead, *Landegem* teaches, communications between nodes, not intra-nodal communication, with each communication involving cells. (*Landegem* col. 2, lines 58-64).

Neither alone, nor in combination, do *Shiota* and *Landegem* teach or suggest, “pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.” At least for this deficiency, the rejection of claim 1 as being unpatentable over *Shiota* in view of *Landegem* under 35 U.S.C. §103(a) should be withdrawn.

Further, dependent claims 13, 23, 25, 28, and 32 are asserted to be in condition for allowance at least by virtue of their dependence upon an allowable independent claim.

Claims 2-9, 29 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Shiota* in view of *Landegem* and further in view of *Timbs* (U.S. Patent No. 5,809,025).

As demonstrated above, in the traversal of the rejection of claim 1, *Shiota* and *Landegem* fail to teach or suggest, at least, “pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node,” as required by independent claim 1. Secondary reference *Timbs* fails to compensate for this deficiency. Instead, *Timbs* teaches a cell base switching system. (*Timbs* col. 3, lines 19-28; col. 4, lines 19-21; Figs. 1 and 2). Neither alone, nor in combination do, *Shiota*, *Landegem*, and *Timbs* teach or suggest, “pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.” Dependent claims 2-9, 29, and 30 require the elements of claims from which they depend, claim 1 directly or indirectly, and are thus asserted as allowable by virtue of their dependence upon an allowable claim.

Claims 12, 33, 38, and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Shiota* in view of *Shimojo* (U.S. Patent No. 5,787,072).

As demonstrated above, in the traversal of the rejection of claim 1, *Shiota* fails to teach or suggest, at least, “pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node,” as required by independent claim 1. Secondary reference *Shimojo* fails to compensate for this deficiency. Instead, *Shimojo* contemplates only to

ATM cells, switches, and networks. Neither alone, nor in combination do, *Shiota* and *Shimojo* teach or suggest, “pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.” Dependent claim 12 requires the elements of the claim from which it depends, claim 1, and is thus asserted as allowable by virtue of its dependence upon an allowable claim.

Similarly, independent claim 33 requires, “means for pushing an internal routing label to the label stack of the packet to create a modified packet.” Therefore, an argument analogous to that asserted in the traversal of the rejection of claim 1 is asserted for the traversal of the rejection of claim 33. As demonstrated above, *Shiota* fails to teach or suggest, at least, “means for pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.”

Secondary reference *Shimojo* fails to compensate for this deficiency. Instead, *Shimojo* contemplates only to ATM cells, switches and networks. Neither alone, nor in combination do, *Shiota* and *Shimojo* teach or suggest, “means for pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.” At least for this deficiency, the rejection of claim 33 as being unpatentable over *Shiota* in view of *Shimojo* under 35 U.S.C. §103(a) should be withdrawn. Dependent claims 38 and 40 require the elements of independent claim 33 and are thus asserted as being allowable by virtue of their dependence upon an allowable claim.

Claims 34-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Shiota* in view of *Shimojo* and further in view of *Landegem*.

As demonstrated above, *Shiota* and *Shimojo* fail to teach or suggest, “means for pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node,” as required by claim 33, from which claims 34-37 depend. Secondary

reference *Landegem* fails to compensate for this deficiency. Instead, as discussed above, *Landegem* teaches communications between nodes, not intra-nodal communication, each communication involving cells. (*Landegem* col. 2, lines 58-64). Neither alone, nor in combination do, *Shiota*, *Shimojo*, and *Landegem* teach or suggest, “means for pushing an internal routing label onto the label stack of the packet to create a modified packet for routing within the node.” At least for this deficiency, the rejection of claims 34-37 under 35 U.S.C. §103(a) as being unpatentable over *Shiota* in view of *Shimojo* and further in view of *Landegem* should be withdrawn.


Favorable reconsideration of this application, as presently amended and in light of the Remarks above, is respectfully requested.

Applicant hereby authorizes the Commissioner to charge any fees due but not submitted with this paper to Deposit Account No. 07-0153. If any issues remain that the Examiner feels could be addressed by telephone, the Examiner is respectfully requested to call Applicant's Attorney at the number provided below.

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Respectfully submitted,

GARDERE WYNNE SEWELL LLP



Amelia F. Morani
Registration No. 52,049

3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
(214) 999-4294 - Telephone
(214) 999-3294 - Facsimile